

REMARKS

Status of Claims:

Claims 1-33, 35, 38, 42, 45, 49, and 52 remain cancelled. Claims 34, 41, and 48 are currently amended. Claims 55 and 56 remain withdrawn.

Thus, claims 34, 36, 37, 39-41, 43, 44, 46-48, 50, 51, and 53-56 are pending in the application and, of those claims, claims 55 and 56 remain withdrawn. A detailed listing of all claims that are in the application is presented with appropriately defined status identifiers.

The Claim Amendments Do Not Raise Any New Issues:

The present claim amendments are being submitted after a final rejection, but Applicant respectfully submits that the present claim amendments do *not* raise any new issues. The present claim amendments change the recitation of “requesting to stop broadcasting said advertisement information” to “canceling the registration request for the advertisement information broadcast”. The amended claim language corresponds to claim language from original claim 2, which recited “... cancels registration of the first information and the second information”. Thus, *no* new issues are raised by the claim amendments and, thus, the claim amendments should be entered into the application.

Claim Rejections:

Claims 34, 36-37, 39-41, 43-44, 46-48, 50-51, and 53-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura (U.S. Patent No. 5,987,424) in view of Kenney (U.S. Patent No. 5,515,424).

With respect to claims 34, 36-37, 39-41, 43-44, 46-48, 50-51, and 53-54, the rejection is respectfully traversed.

Independent claim 34 recites, among other features, “a registration cancellation means for canceling the registration request for the advertisement information broadcast from said advertisement information broadcast server according to operation of the portable communication terminal”. On page 3, lines 18-20 of the Office Action, the Office Action

asserts that a registration cancellation means is disclosed in step 1303 of the Nakamura reference.

However, as described at col. 24, ln. 42-49 of Nakamura, in step 1303 the exchange 4 of Nakamura merely discriminates whether or not a **temporary** termination rejection of advertisement information is registered upon dialing from a subscriber telephone set. That is, in Nakamura, the monthly subscription itself is **not** canceled, but the provision of the service based on the monthly subscription is **temporarily** rejected in favor of the subscriber's convenience. In Nakamura, **the monthly subscription continues** regardless of the **temporary** rejection of the service provision, and the service is continuously offered during the period of the monthly subscription.

In contrast, a registration cancellation means of the present claim 34, in accordance with an operation of a portable communication terminal, cancels the registration request of a service (advertisement information broadcast) issued by a registration request means **regardless** of the presence or absence of a monthly subscription. Therefore, the registration cancellation means of the present claim 34 is different from step 1303 of Nakamura, because in Nakamura the provision of the service is merely **temporarily** rejected while the service subscription is kept continued.

According to embodiments of the present invention, a monthly subscription is **unnecessary**, and a start (issuance of a registration request) and end (cancellation of the registration request) of service provision which are requested by the subscriber can be designated.

On page 5 of the Office Action, the Examiner made a comment that temporary cancellation and permanent cancellation of service requests are known. However, the feature of embodiments of the present invention does not lie on simple selection of the type of cancellation for the service request. Nakamura is directed to **temporary rejection** of the service provision **during the service subscription period**. In contrast, embodiments of the present invention are directed to temporary **enjoyment** (start and end of service **based on the subscriber's operation**) of service provision which does **not** require a service subscription.

The service provision form of embodiments of the present invention is entirely different from that of Nakamura.

As can be understood from the foregoing, a combination of Nakamura and Kenny would implement only **temporary termination rejection** of an advertisement broadcast service **during a period of monthly advertisement broadcast service subscription**. The subject of embodiments of the present invention is not the temporary rejection of the service provision and, thus, embodiments of the present invention are **not** obvious from the combination of Nakamura and Kenny.

Therefore, independent claim 34 is neither disclosed nor suggested by the Nakamura and Kenney references, alone or in combination, and, hence, is believed to be allowable. The Patent Office has **not** made out a *prima facie* case of obviousness under 35 U.S.C. 103.

Independent claim 41 is believed to be allowable for similar reasons as the reasons discussed above with respect to claim 34. Also, independent claim 48 is believed to be allowable for similar reasons as the reasons discussed above with respect to claim 34.

The dependent claims are deemed allowable for at least the same reasons indicated above with regard to the independent claims from which they depend.

Conclusion:

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected

or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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